

06-29-05

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Docket No.

41482/41410

In Re Application Of:

Myers, Nadeen B.

JUN 28 2005

Serial No.
10/619,971Filing Date
July 15, 2003Examiner
Pratt, Helen F.Group Art Unit
1761

Title:

COMPOSITIONS AND METHODS OF ADDITION FOR CALCIUM SUPPLEMENTATION IN TRANSPARENT BEVERAGES USING TRICALCIUM PHOSPHATE

Address to:
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

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1761

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 20-0823 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
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I certify that this document and fee is being deposited on June 27, 2005 with the U.S. Postal Service as Express Mail under 37 C.F.R. 1.10 and addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

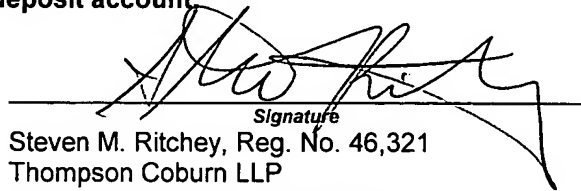
Express Mail No.: EV494044074US

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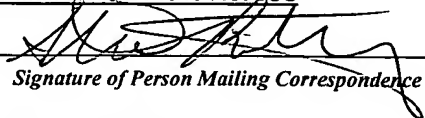
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Signature
Steven M. Ritchey, Reg. No. 46,321
Thompson Coburn LLP
One US Bank Plaza, Suite 3500
St. Louis, Missouri 63101
314-552-6000
314-552-7000 FAX

Dated: 6/27/2005



21888

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT			Docket No. 41482/41410	
In Re Application Of: Myers, Nadeen B.				
Serial No. 10/619,971	Filing Date July 15, 2003	Examiner Pratt, Helen F.	Group Art Unit 1761	
Title: COMPOSITIONS AND METHODS OF ADDITION FOR CALCIUM SUPPLEMENTATION IN TRANSPARENT BEVERAGES USING TRICALCIUM PHOSPHATE				
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>				
This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.				
Check applicable statement here below:				
Statement Under 37 CFR 1.97(e)(1)				
<input checked="" type="checkbox"/> Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.				
Statement Under 37 CFR 1.97(e)(2)				
<input type="checkbox"/> No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.				
 Signature		Dated: 6/27/2005		
Steven M. Ritchey, Reg. No. 46,321 Thompson Coburn LLP One US Bank Plaza, Suite 3500 St. Louis, Missouri 63101 314-552-6000 314-552-7000 FAX		Certificate of Mailing by Express Mail		
 21888		I certify that this document is being deposited on 6/27/2005 with the U.S. Postal Service as Express Mail under 37 C.F.R. 1.10 and addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		
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Substitute for form 1449A/PTO

Complete if Known

Application Number 10/619,971

Filing Date 7/15/2003

First Named Inventor Myers, Nadeen B.

Art Unit 1761

Examiner Name Pratt, Helen F.

Attorney Docket Number 41482/41410

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,851,243	07-25-1989	Andersen et al.	
		US- 4,871,554	10-03-1989	Kalala et al.	
		US- 2002/0122866	09-05-2002	Palaniappan et al.	
		US- 6,833,146	12-21-2004	Valencia et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/619,971
				Filing Date	7/15/2003
				First Named Inventor	Myers, Nadeen B.
				Group Art Unit	1761
				Examiner Name	Pratt, Helen F.
				Attorney Docket Number	41482/41410
Sheet	2	of	2		

[illegible]

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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